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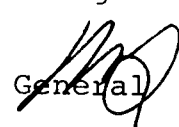
EARL F. DORIUS, CHIEF  
Governmental Affairs Division

PAUL M. WARNER, CHIEF  
Litigation Division

M E M O R A N D U M

DATE: March 20, 1985

TO: Stanley Green, Directing Appropriations Engineer  
UTAH DIVISION OF WATER RIGHTS

FROM: Michael M. Quealy, Assistant Attorney General 

RE: Beckstead v. Hansen, Salt Lake Co. Civil No. C82-8627,  
(Re: A46863 (57-8148));  
Beckstead, et ux., v. Hansen, Salt Lake Co. Civil No.  
C82-8628, (Re: A51068 (57-8372)); and,  
Reimann, et al., v. Hansen, Salt Lake Co. Civil No. C82-  
8629, (Re: A49076 (57-8280))

Attached is a copy of Judge J. Dennis Frederick's February 13, 1985, Order dismissing with prejudice the three consolidated cases listed above for failure to prosecute. This document has the effect of affirming the State Engineer's August 27, 1982, Memorandum Decisions rejecting the above-referenced Applications to Appropriate. Please endorse your records accordingly.

Thanks and best regards.

MMQ/jr

Attachment

cc: Robert L. Morgan, State Engineer

FILED IN CLERK'S OFFICE  
SALT LAKE COUNTY, UTAH

FEB 11 1985

RAY L. MONTGOMERY, Bar No. 2299  
Assistant City Attorney  
Attorney for Defendant Salt Lake  
City Corporation  
100 City & County Building  
Salt Lake City, Utah 84111  
Telephone: 535-7788

By JP Deputy Clerk

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR

SALT LAKE COUNTY, STATE OF UTAH

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MELISSA F. BECKSTEAD, et al.,

Plaintiffs,

vs.

DEE C. HANSEN, as State  
Engineer of the State of  
Utah, and SALT LAKE CITY  
CORPORATION, a municipal  
corporation of the State  
of Utah.

Defendants.

ORDER

Civil Nos. C-82-8627

C-82-8628

C-82-8629

(Judge J. Dennis Frederick)

The Defendant Salt Lake City Corporation's Motion to Dismiss having come on for hearing at the hour of 10:00 o'clock a.m. on the 28th day of January, 1985; the plaintiffs being represented by Paul E. Reimann; Defendant Dee C. Hanson being represented by Michael M. Quealy; and Defendant City being represented by Ray L. Montgomery; with no party opposing the motion and the Court being fully advised in the premises, and good cause appearing therefore in that it has been more than two years since the

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entered his orders in these cases, makes its Order.

It is hereby ORDERED, ADJUDGED AND DECREED:

1. The plaintiff has failed to prosecute these three cases to conclusion within the time limitation of two years allowed by the provisions of Section 73-3-15, Utah Code Ann., 1953, as amended.

2. The plaintiff's complaints in these three consolidated cases are hereby dismissed with prejudice.

DATED this 13 day of January, 1985.

ATTEST  
H. DIXON HINDLEY  
Clerk

By [Signature]  
Deputy Clerk

[Signature]  
JUDGE J. DENNIS FREDERICK

CERTIFICATE OF MAILING

I hereby certify that I mailed a true and correct copy of the foregoing Order to Paul F. Peimann, Attorney for Plaintiffs, at 1586 South 2200 East, Salt Lake City, Utah 84108, and to Michael M. Quealy, Assistant Attorney General, Attorney for State Engineer, at 1636 West North Temple, Suite 300, Salt Lake City, Utah 84116, by depositing same in the U.S. mail with postage prepaid thereon this 30th day of January, 1985.

cm106

Carol Morgan

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss

I, THE UNDERSIGNED, CLERK OF THE DISTRICT COURT OF SALT LAKE COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK.

WITNESS MY HAND AND SEAL OF SAID COURT

THIS 18 DAY OF March 19 85

H. DIXON HINDLEY, CLERK

BY [Signature] DEPUTY